

(SPACE BELOW FOR FILING STAMP ONLY)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PETER A. RICHARDSON, an Individual,  
Plaintiff,  
v.  
USAA CASUALTY INSURANCE  
COMPANY, an insurance company form  
of business unknown, and DOES 1-5,  
Defendant.

CASE NO. C 08-00302 SI

**[PROPOSED] ORDER GRANTING USAA  
CASUALTY INSURANCE COMPANY'S  
MOTION TO STRIKE PORTIONS OF  
COMPLAINT FOR DAMAGES**

**Date:** February 29, 2008  
**Time:** 9:00 a.m.  
**Ctrm:** 10  
**Before:** Honorable Susan Illston

**Complaint Filed: 12/17/07**

**[Accompanying Documents: Notice of  
Motion; Memorandum of Points And  
Authorities]**

The Motion of Defendant, USAA CASUALTY INSURANCE COMPANY ("USAA  
CIC"), came on regularly for hearing before this court on February 29, 2008, at 9:00 a.m., in  
Courtroom #10 of the above-entitled court. Attorney Jack S. Fischer of the law firm of  
McCormick, Barstow, Sheppard, Wayte & Carruth, LLP appeared on behalf of Defendant USAA  
CIC. All other appearances are on the record.

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1 After considering all papers in support of and in opposition to the motion and the oral  
2 argument of counsel, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

- 3 1. Paragraph 28 of Plaintiff's Complaint for Damages is stricken in its entirety.  
4 2. Plaintiff's Prayer for punitive damages, as set forth at 5:13-14 of the Complaint, is  
5 stricken in its entirety.

6 IT IS SO ORDERED.

7 Dated: \_\_\_\_\_, 2008  
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11 Susan Illston  
12 United States District Judge  
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